

Appl. No. : 10/070,635  
Filed : March 1, 2002

### REMARKS

Claims 1 and 4 have been amended to clarify the invention. Support can be found in Figs. 1, 3, 5, and 6, for example. No new matter has been added. Applicant respectfully requests entry of the amendments and reconsideration of the application in view of the amendments and the following remarks.

#### Rejection Under 35 U.S.C. § 112

Claim 1 has been rejected under 35 U.S.C. § 112, second paragraph. The Examiner asserts: “although the wheels run on the ring-shaped fixed horizontal rail, how do the outer and inner rings run with wheels on the rail?” Claim 1 has been amended to clarify the invention, wherein the wheels run on the rail and move with respect to the rail together with the rings to which the wheels are rotatably fixed. Clearly, the rings themselves do not run on the rail. Applicant respectfully requests withdrawal of this rejection.

#### Rejection Under 35 U.S.C. § 103

Claims 1, 4, and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Zamorano Morfin in view of Hunter. Applicant respectfully traverses this rejection.

The Examiner asserts:

“Zamorano Morfin discloses a transfer device comprising a carriage 12 rotating along a ring-shaped horizontal rail, a carriage comprising an inner ring 70 and wheels 71, vertical columns 11, 11a fixed to a carriage inner ring 70, table 25, and a drivingly running mechanisms 19, 42 for running and lifting (col. 5, lns. 49-59).”

However, the structures of Zamorano Morfin are dissimilar to those recited in Claim 1 at least for the reasons below:

First, in Zamorano Morfin, the wheels 71 do not run on a ring-shaped fixed horizontal rail. In Zamorano Morfin, there is no ring-shaped fixed horizontal rail.

Second, in Zamorano Morfin, the wheels 71 do not move with respect to a ring-shaped fixed horizontal rail together with the inner ring 70.

Third, in Zamorano Morfin, the wheels 71 are not sandwiched between the inner ring 70 and an outer ring. In Zamorano Morfin, there is no outer ring.

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Fourth, in Zamorano Morfin, the vertical columns 11, 11a are not enclosed by the inner ring 70. In Zamorano Morfin, the vertical columns 11, 11a are disposed outside the inner ring 70.

Further, the Examiner asserts: "Hunter '440 teaches ... a carriage comprising wheels 26 rotatably fixed to and sandwiched between an outer ring 116 (FIG. 5 as shown) and inner ring 122 (FIG. 5 as shown)." However, the structures of Hunter are dissimilar to those recited in Claim 1 at least for the reasons below:

First, in Hunter, the inner ring 122 and the outer ring 116 do not have a common vertical axis. Their axes are horizontal.

Second, in Hunter, the inner ring 122 does not enclose vertical columns.

Thus, even if Zamorano Morfin and Hunter are combined, the combination still could not lead to Claim 1. Further, the wheels 71 in Zamorano Morfin and the wheels 26 in Hunter are entirely dissimilar to each other, and the inner ring 70 in Zamorano Morfin and the inner ring 122 in Hunter are entirely dissimilar to each other. Thus, Zamorano Morfin and Hunter could not reasonably be combined.

In view of the above, Claim 1 could not be obvious over Zamorano Morfin and Hunter.

Regarding Claim 4, the Examiner further asserts:

"a transfer device dev[sic] further comprises another carriage 12a, a ring-shaped horizontal rail 21 where horizontal rails are in parallel yes[sic] and fixed to a floor 22."

However, the structures recited in Claim 4 are dissimilar to those disclosed in Zamorano Morfin at least for the reasons below:

First, in Zamorano Morfin, there is no ring-shaped horizontal rail. Although the Examiner describes a ring-shaped horizontal rail 21, numeral 21 is a bearing installed at the center or vertex of pyramid 12a (col. 5, lines 23-24).

Second, in Zamorano Morfin, even if the bearing 21 is considered to be a rail, the rail does not have the same configuration as the first rail.

Third, in Zamorano Morfin, the carriage 12a does not have the same configuration as the carriage 12.

At least for the above reasons, Claim 4 could not be obvious over Zamorano Morfin and Hunter.

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In view of the above, Claim 1 and the remaining dependent claims could not be obvious over the prior art. Applicant respectfully requests withdrawal of this rejection.

Rejection Under 35 U.S.C. § 103

Claims 13 and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Zamorano Morfin and Hunter further in view of Van Dijk. Applicant respectfully traverses this rejection.

Claims 13 and 14 depend ultimately from Claim 1. As explained above, Claim 1 could not be obvious over Zamorano Morfin and Hunter. Van Dijk is irrelevant to Claim 1. Thus, at least for the reason, Claims 13 and 14 also could not be obvious over the above references. Applicant respectfully requests withdrawal of this rejection.

**CONCLUSION**

In light of the Applicant's amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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By: 

Katsuhiro Arai  
Registration No. 43,315  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

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